

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

The Andhra Pradesh Building & Other Construction Workers Welfare Board – Effective implementation of the Building and Other Construction Workers (Regulation of Employment & Condition of Services) Act, 1996 & A.P. Rules, 1999 – Establishment of offices of Assistant Commissioners of (SSS) – Orders –Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.IV) DEPARTMENT

**G.O.Ms.No. 30**

**Dated: 23.02.2012.**  
**Read the following:-**

1. Directions of the Supreme Court of India in W.P.(Civil).No.318 of 2006, dated: 22.01.2010.
2. G.O.Ms.No.18, LET&F (Lab.IV) Department, dated: 08.04.2011.
3. From the Commissioner of Labour, Andhra Pradesh, Hyderabad. Letter No. E/C. Board/7652/2011, dated: 06.01.2012.
4. Directions of Supreme Court of India in W.P. (Civil) No.318/2006, dated: 11.02.2012.

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**ORDER:**

The Supreme Court of India in SLP (Civil) No.318 of 2006 dated: 22.01.2010 have clearly directed to the constituent States to ensure reaching the benefits under the Act to the registered workers within a stipulated time frame preferably. The need and urgency was stressed to reach out Construction Workers spread over in the nook and corner of the State near worksites, implementing social security measures brooks no delay with available fund in the form of Cess. Further, the Hon'ble Supreme Court have also casted the responsibility on the Labour Department of each State to carry out special drives to implement the provisions of the Act. There is no financial burden or recruitment of additional staff involved on the Government but to depute the staff on F.R. terms from the existing staff of Labour Department, whose pay and allowances would be incurred from the funds of the Board. The Government accordingly vide G.O. 2<sup>nd</sup> read above, accorded approval for creation of field staff by the Andhra Pradesh Building & Other Construction Workers Welfare Board in terms of Rules 33–D of Andhra Pradesh Building & Other Construction Workers (Regulation of Employment & Condition of Services) Rules, 1999.

2. The Commissioner of Labour, Andhra Pradesh, Hyderabad in his letter 3<sup>rd</sup> read above, submitted that, in the G.O. 2<sup>nd</sup> read above, Government have sanctioned (78) Assistant Commissioner of Labour (SSS) in the Andhra Pradesh Building and Other Construction Workers Welfare Board for effective implementation of Buildings & Other Construction Workers (Regulation of Employment & Condition of Services) Act, 1996 and Schemes formulated under the Act for the benefit of Construction Workers. Accordingly, the posts of Assistant Commissioners of Labour (SSS) have been filled up by drawing from the Labour Department and were deployed to work in the field. Further, during the successive review meetings, the work turned out by the Assistant Commissioners of Labour (SSS) vis-à-vis implementation of schemes introduced by the Andhra Pradesh Building and Other construction Workers Welfare Board was reviewed and it was observed that the Assistant Commissioner of Labour (SSS) are not functioning to the fullest extent in accordance with the Job Chart prescribed for implementation of the provisions of the Building and Other Construction Workers (Regulation of Employment & Condition of Services) Act, 1996 and Cess Act, 1996, due to many reasons including lack of infrastructure like proper accommodation, staff, mobility and statutory powers under the said Acts. It was therefore felt desirable to establish District office of the Board to enable the Assistant Commissioners of Labour (SSS) to function exclusively under the supervision and control of the Secretary, Andhra Pradesh Building and Other Construction Workers

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Welfare Board. The experience of the neighboring States like Karnataka, Tamilnadu and Kerala in reaching out the Construction Workers through District Officers of the Board proved to be meaningful and successful in a project mode for implementation of the provisions of the Act and Rules. It has therefore been proposed to locate the field staff in the District Offices of the Board to ensure functional and spatial integration of field staff at the District Head Quarters Level. The data entry operators and office subordinates, who are presently working in the offices of the Deputy Commissioners of Labour are withdrawn along with computers and shall be placed under the control of the senior among Assistant Commissioners of Labour (SSS) in the respective District as District head. The necessary logistic support like furniture, computer system stationery, monthly rent for office building, electricity etc., and salaries of the field staff shall be provided by the Andhra Pradesh Building and Other Construction Workers Welfare Board. While providing infrastructure, care must be taken by the Secretary, Andhra Pradesh Building and Other Construction Workers Welfare Board to follow the guidelines and Government norms / rules and also ensure strict economy in budgeting the expenditure.

3. The Apex Court reiterated the onus on the part of the State Government in Labour Department in their recent pronouncement dated: 11.02.2012, as extracted below, the need and urgency of accelerating the pace of extending schemes beneficial to the Construction Workers:-

“All the State Governments directed to fully implement the provisions of Act as well as the Cess Act and also directed to collect the Cess and distribute amount to the registered applicants in furtherance to implementation of the scheme framed and directed to file compliance report.”

4. The Secretary of Board shall take immediate steps in securing the suitable accommodation for establishment of District office of the Board accordingly. He shall frame and issue detailed guidelines to ensure effective functioning these offices to ensure speediest implementation of the provisions of Act & Rules.

5. The District Officers of the Board and the field staff attached to these officers shall function under the control and supervision of the Board and report directly to the Secretary, Andhra Pradesh Building and Other Construction Workers Welfare Board.

6. The expenditure both recurring and non-recurring shall be incurred from the funds of the Board within the budgetary sanctions / norms.

7. The Secretary, Andhra Pradesh Building and Other Construction Workers Welfare Board shall take immediate action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.SREENIVASULU  
SECRETARY TO GOVERNMENT

To  
The Secretary, Andhra Pradesh Building and Other Construction  
Workers Welfare Board, Hyderabad.  
The Commissioner of Labour, Andhra Pradesh, Hyderabad.

Copy to:  
OSD to M(LET&B)  
P.S. to Secretary (LET&F)  
P.A. to Joint Secretary (LET&F)

//FORWARDED :: BY ORDER//

SECTION OFFICER